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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DUANE MORRIS LLP				
PO BOX 5203				
PRINCETON, NJ 08543-5203				
EXAMINER				
TINKLER, MURIEL S				
ART UNIT		PAPER NUMBER		
3691				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/839,744

**Applicant(s)**

FRANK, OLIVIER

**Examiner**

MURIEL TINKLER

**Art Unit**

3691

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6, 7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 7 and 9-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This application has been reviewed. Claims 6, 7 and 9-17 are pending. The rejection(s) are as follows.

#### ***Response to Arguments***

1. Applicant's arguments filed November 19, 2007 have been fully considered but they are not persuasive. The Applicant argues that Sehr does not disclose: a means for recharging; a means for storing; a validator comparing the identification number of the presented voucher to a list of approved vouchers; and communication with the central station. The Examiner disagrees, Sehr discloses: a means for recharging in paragraph 77; a means for storing (a database) in paragraph 14; a validator comparing the identification number of the presented voucher to a list of approved vouchers, in addition to paragraph 124, see paragraphs 52 and 53 (specifically, some visitors have pre-approved admission rights according to their seat assignments); and communication with the central station in paragraph 38 (this system can be used on client/server, mainframe based and application-specific computer terminal networks.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim 6 is rejected under 35 U.S.C. 102(e) as being anticipated by Sehr (US 2001/0018660 A1), hereafter referred to as Sehr.

5. Claim 6 discusses a validator of access to a service by a rechargeable voucher, the validator including: means for reading the voucher identification number, means for recharging the voucher by writing into the voucher's recordable data storage means, and means for storing a list of approved voucher vouchers, the validation of which is authorized and/or forbidden identification numbers representing the vouchers that have been approved for automatic recharge, wherein when a voucher holder presents a voucher to the validator, the validator compares the identification number of the presented voucher to said list of approved voucher identification numbers stored in said means for storing and automatically recharges the presented voucher without any

intervention or action by the voucher holder when the identification number of the presented voucher is on said list of approved voucher identification numbers.

6. Sehr discloses: a validator in the Abstract and paragraphs 16 and 40; a means for reading a voucher/voucher holder in paragraph 32 and figure 1 (element 12); a means for recharging a voucher in paragraph 77; means for storing a list of approved vouchers in paragraph 14; comparing identification numbers of voucher to a list in paragraph 124; and, automatically recharging the voucher in the Abstract.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7 and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr in view of Bigari (US 5,010,485), hereafter referred to as Bigari.

9. Claims 7, 12 and 16 discuss a system and method for managing rechargeable vouchers accounts, the system comprising: a central station for managing the status of the rechargeable voucher accounts and maintaining and updating a first list of approved voucher identification numbers representing a list of vouchers for which the voucher holder has paid for a recharge; and a plurality of service access validation stations

comprising validators, in communication with the central station, the central station periodically transmitting at least a portion of said first list of voucher identification numbers that have been approved for automatic recharge to at least some selected service access validation stations, wherein upon presentation said validator comprises means for storing said first list and when a voucher holder presents a voucher to a validator, said validator compares the identification number of the presented voucher to said first list of voucher identification numbers and automatically recharges the presented voucher without any intervention or action by the voucher holder when the identification number of the presented voucher is on said first list of voucher identification numbers and provides the voucher holder an access to the service.

10. Sehr discloses: rechargeable vouchers in the Abstract and paragraph 14; a plurality of service access validation stations in the Abstract (a plurality of entities); periodic updates in paragraph 32; automatic recharge in the Abstract; a validator/voucher holder in the Abstract, paragraphs 14 and 16 and figure 1 (element 12); and, comparing the identification number on the voucher to a list in paragraph 124. While Sehr does disclose managing voucher status in the Abstract and paragraph 14, Sehr does not specifically disclose the use of "managing the status of the rechargeable voucher accounts". Bigari teaches the act of "managing the status of the rechargeable voucher accounts", in column 5 (lines 12-26) and column 8 (line 47) through column 9 (line 6).

11. Claim 9 discusses the system of claim 7, wherein the central station's management of the status of the rechargeable voucher accounts includes receiving payments from rechargeable voucher account holders for authorizing future automatic recharge of the voucher account holder's vouchers and upon said payment, providing the voucher account holders an option to provides an indication about which service access validation station he intends to go first. See the rejection(s) of claim 7 above. Sehr also discloses: receiving payments to authorize future automatic recharging of vouchers in paragraph 24; value added services in paragraphs 107-108 and 114; and, providing an indication to which service access validation station the user intends to use paragraph 42.

12. Claims 10, 13-15 and 17 discuss the system and method of claim 7, wherein a number of rechargeable vouchers are designated to be automatically recharged periodically ang during a time window at the end of each defined period, each such voucher presented to a validator automatically recharged by the validator when a voucher holder presents a such voucher to the validator to Rain access to a service at the end of said defined period is automatically recharged by the validator and the validator generating a second list of voucher identification numbers representing the recharged vouchers and periodically transmitting said second list of voucher identification numbers to the central station, the voucher validity being then checked by the central station by between comparing the second list of recharged vouchers a-ng-a to said first list of voucher identification numbers for which the recharge has been paid,

the central station then generating a third list of voucher identification numbers representing being then made of the vouchers that have been recharged but not paid for, this last said third list of voucher identification numbers being periodically transmitted to at least some of the validators, to enable the validators to totally or partially inhibit any unpaid vouchers. See the rejection(s) of claim 7 above. Bigari also discloses: automatically recharging vouchers at the end of a time period in the Abstract, figure 2, and column 4 (lines 7-29). Sehr also discloses: the use of various lists in paragraphs 34, 43 and 58; and, the automatic recharging of vouchers in the Abstract.

13. Claim 11 discusses the system of claim 7, wherein the system automatically determines according to a statistic criteria certain service access validation stations to which said a particular voucher is likely to be presented. See the rejection(s) of claim 7 above. Bigari discloses automatically estimating where a voucher will be presented in column 5 (lines 3-40).

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the



shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MURIEL TINKLER whose telephone number is (571)272-7976. The examiner can normally be reached on Monday through Friday from 6:30 AM until 3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3691

/M. T./

Examiner, Art Unit 3691

/Hani M. Kazimi/

Primary Examiner, Art Unit 3691